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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/920,458

Applicant(s)

ALLEMANN ET AL.

Examiner

Meltin Bell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 39 is/are allowed.
- 6) ☒ Claim(s) 1-38 and 40-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This action is responsive to application 09920458 filed **08/01/2001** as well as the Specification Corrections and Amendment filed 2/11/05. Claims 1-42 filed by the applicant have been entered and examined. An action on the merits of claims 1-42 appears below.

Claim Rejections - 35 USC § 102

Applicant's arguments have been fully considered, but are not persuasive. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 4-6, 8-12, 14-15, 18-20, 22-35, 37-38 and 40-42 are rejected under 35 U.S.C. 102(e) as being anticipated by *Mui et al* US Patent Application 2003/0229529 "Method for enterprise workforce planning" (Filed February 23, 2001).

Regarding claim 1:

Mui et al teaches,

- receiving user input from the individual relating to creation of the new goal in a goal management system (Figs. 7, 18, 24-25; page 91, “[1331] The Performance Application ... accomplish the goal”)
- ensuring that the new goal is a child goal of a parent goal in the goal management system (page 76, “[1104] Document Type Definition ... automatically navigated past”; page 89, “[1284] Every goal must ... attainable and realistic”; page 89, “[1285] Users of the ... a particular Goal”; page 90, “[1305] A Goal Assignment can ... to its children, etc.”)
- ensuring that the parent goal is linked to a team that includes the individual (page 76, “[1104] Document Type Definition ... automatically navigated past”; page 83, “[1233] After disaggregating organizational ... contractors, or individuals”; page 84, [1233 continued] “at other organizations ... is suddenly modified”; page 89, “[1284] Every goal must ... attainable and realistic”)
- storing the new goal, such that the goal management system accumulates a collection of goals and goal relationships for future reference (page 83, “[1214] As indicated above ... a display monitor”)

Regarding claim 4:

Mui et al teaches,

- identifying one or more candidate parent goals that are linked to the team that includes the individual (page 91, “[1330] Referring to FIG. 24 ... to the Goal”)

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- prompting the individual to select a goal among the one or more candidate parent goals to be the parent goal to the new goal (Fig. 24, item 2430)

Regarding claim 5:

Mui et al teaches,

- prompting the individual to select a goal comprises automatically identifying a default parent goal (page 85, “[1247] A Competency is ... to achieve goals”; page 86, “[1260] Entities of methodology weight ... for that methodology”; page 87, “[1263] As discussed above ... Goals, and Certifications”; page 90, “[1305] A Goal Assignment can ... into the corporate goals”)

Regarding claim 6:

Mui et al teaches,

- prompting the individual to specify a team to be linked directly to the new goal (Fig. 23)
- ensuring that the specified team is owned by the individual (Fig. 24, item 2430)
- saving the new goal as a team goal for the specified team (page 83, “[1214] As indicated above ... a display monitor”)

Regarding claim 8:

Mui et al teaches,

- recognizing an organizational role for the individual (Fig. 7, item 715; Fig. 22, item 2250; page 87, “[1264] A Required Competency ... of Manager Role”)
- customizing content of a user interface, based on the organizational role of the individual, such that the user interface with the customized content provides goal

creation guidance according to the organizational role (page 95, "[1409] Referring to FIG. 27 ... current job roles")

Regarding claim 9:

Mui et al teaches,

- customizing content of a user interface comprises providing specialized instructions and sample content for characteristics of the new goal (page 8, "[0231] The persistence framework ... changed and recompiled"; page 19, "[0353] In the alternative ... have different requirements"; page 24, "[0424] In EJB Specification v1.1 ... and its methods")

Regarding claim 10:

Mui et al teaches,

- retrieving a specialized template, based on a department and a job title for the individual (page 72, "[1016] Match templates specify ... an RDF query"; page 83, "[1232] Referring to FIG. 18 ... achieve these goals"; page 87, "[1263] As discussed above ... Goals, and Certifications"; page 87, "[1264] A Required Competency ... of Manager Role")
- providing specialized instructions and sample content for characteristics of the new goal, based on the specialized template (page 19, "[0353] In the alternative ... have different requirements")

Regarding claim 11:

Mui et al teaches,

- providing specialized instructions and sample content for characteristics of the new goal comprises providing customized content for a goal-objective characteristic, a goal-

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measure characteristic, and a goal-activity characteristic for the new goal (page 8, "[0231] The persistence framework ... changed and recompiled"; page 19, "[0353] In the alternative ... have different requirements"; page 24, "[0424] In EJB Specification v1.1 ... and its methods"; page 91, "[1310] The Performance Application ... [1316] Display the category levels in a drop list ... [1323] Get all the Competencies ... to the metric")

Regarding claim 12:

Mui et al teaches,

- prompting the individual to select a category for the new goal from a list of high-level goals (page 90, "[1291] Goal Category – A Goal Category plays ... affect the phenomenon"; page 90, "[1292] Goal Category Level – A Goal Category Level describes ... as a human appraisal"; page 91, "[1310] The Performance Application ... [1316] Display the category levels in a drop list ... [1323] Get all the Competencies ... to the metric")

Regarding claim 14:

Mui et al teaches,

- means for ensuring that a new goal is a child goal of a parent goal (Figs. 1-5., 8A, 17; page 76, "[1104] Document Type Definition ... automatically navigated past"; page 89, "[1284] Every goal must ... attainable and realistic"; page 89, "[1285] Users of the ... a particular Goal"; page 90, "[1305] A Goal Assignment can ... to its children, etc.")

- means for ensuring that the parent goal is linked to a team which includes the individual (Figs. 1-5., 8A, 17; page 76, "[1104] Document Type Definition ... automatically navigated past"; page 83, "[1233] After disaggregating organizational ...

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contractors, or individuals”; page 84, [1233 continued] “at other organizations ... is suddenly modified”; page 89, “[1284] Every goal must ... attainable and realistic”)

Regarding claim 15:

Mui et al teaches,

- computer instructions that (page 7, “[0220] An embodiment of ... more fully below”; page 17, “[0317] Upon receiving a request ... argument for the”; page 18, [0317 continued], “save(SabaTransaction tr) case ...the in-memory representation”; page 37, “[0628] The control file ... process the document”):
- ensure that the new goal is a child goal of a parent goal (page 76, “[1104] Document Type Definition ... automatically navigated past”; page 89, “[1284] Every goal must ... attainable and realistic”; page 89, “[1285] Users of the ... a particular Goal”; page 90, “[1305] A Goal Assignment can ... to its children, etc.”)
- ensure that the parent goal is linked to a team that includes the individual (page 76, “[1104] Document Type Definition ... automatically navigated past”; page 83, “[1233] After disaggregating organizational ... contractors, or individuals”; page 84, [1233 continued] “at other organizations ... is suddenly modified”; page 89, “[1284] Every goal must ... attainable and realistic”)
- a computer-usable medium encoding the computer instructions (page 17, “[0317] Upon receiving a ... argument for the”; page 18, [0317 continued], “save(SabaTransaction tr ... the in-memory representation”)

Regarding claim 18:

Mui et al teaches,

- identify one or more candidate parent goals that are linked to the team that includes the individual (page 91, “[1330] Referring to FIG. 24 ... to the Goal”)
- prompt the individual to select a goal among the one or more candidate parent goals to be the parent goal to the new goal (Fig. 24, item 2430)

Regarding claim 19:

Mui et al teaches,

- the computer instructions, which prompt the individual to select a goal, further comprise computer instructions that automatically identify a default parent goal (page 85, “[1247] A Competency is ... to achieve goals”; page 86, “[1260] Entities of methodology weight ... for that methodology”; page 87, “[1263] As discussed above ... Goals, and Certifications”; page 90, “[1305] A Goal Assignment can ... into the corporate goals”)

Regarding claim 20:

Mui et al teaches,

- prompt the individual to specify a team to be linked directly to the new goal (Fig. 23)
- ensure that the specified team is owned by the individual (Fig. 24, item 2430)
- save the new goal as a team goal for the specified team (page 83, “[1214] As indicated above ... a display monitor”)

Regarding claim 22:

Mui et al teaches,

- recognize an organizational role for the individual (Fig. 7, item 715; Fig. 22, item 2250; page 87, “[1264] A Required Competency ... of Manager Role”)
- customize content of a user interface, based on the organizational role of the individual, such that the user interface with the customized content provides goal creation guidance according to the organizational role (page 95, “[1409] Referring to FIG. 27 ... current job roles”)

Regarding claim 23:

Mui et al teaches,

- the computer instructions, which customize content of a user interface, further comprise computer instructions that provide specialized instructions and sample content for characteristics of the new goal (page 8, “[0231] The persistence framework ... changed and recompiled”; page 19, “[0353] In the alternative ... have different requirements”; page 24, “[0424] In EJB Specification v1.1 ... and its methods”)

Regarding claim 24:

Mui et al teaches,

- retrieve a specialized template, based on a department and a job title for the individual (page 72, “[1016] Match templates specify ... an RDF query”; page 83, “[1232] Referring to FIG. 18 ... achieve these goals”; page 87, “[1263] As discussed above ... Goals, and Certifications”; page 87, “[1264] A Required Competency ... of Manager Role”)

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- provide specialized instructions and sample content for characteristics of the new goal, based on the specialized template (page 19, "[0353] In the alternative ... have different requirements")

Regarding claim 25:

Mui et al teaches,

- the computer instructions which provide specialized instructions and sample content for characteristics of the new goal comprise computer instructions which provide customized content for a goal-objective characteristic, a goal-measure characteristic, and a goal-activity characteristic for the new goal (page 8, "[0231] The persistence framework ... changed and recompiled"; page 19, "[0353] In the alternative ... have different requirements"; page 24, "[0424] In EJB Specification v1.1 ... and its methods"; page 91, "[1310] The Performance Application ... [1316] Display the category levels in a drop list ... [1323] Get all the Competencies ... to the metric")

Regarding claim 26:

Mui et al teaches,

- the computer-usable medium further encodes computer instructions that prompt the individual to select a category for the new goal from a list of high-level goals (page 90, "[1291] Goal Category – A Goal Category plays ... affect the phenomenon"; page 90, "[1292] Goal Category Level – A Goal Category Level describes ... as a human appraisal"; page 91, "[1310] The Performance Application ... [1316] Display the category levels in a drop list ... [1323] Get all the Competencies ... to the metric")

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Regarding claim 27:

Mui et al teaches,

- the computer-usable medium comprises a member selected from the group consisting of (i) electronic signals modulated in accordance with the computer instructions, (ii) magnetic readable storage material, (iii) optically readable storage material, and (iv) optical signals modulated in accordance with the computer instructions (page 7, "[0220]

An embodiment of ... dictated by computer programs")

Regarding claim 28:

Mui et al teaches,

- receiving user input from an individual relating to creation of the new goal (Figs. 7, 18, 24-25; page 91, "[1331] The Performance Application ... accomplish the goal")

- ensuring that the new goal is a child goal of a parent goal in the goal management system (page 76, "[1104] Document Type Definition ... automatically navigated past"; page 89, "[1284] Every goal must ... attainable and realistic"; page 89, "[1285] Users of the ... a particular Goal"; page 90, "[1305] A Goal Assignment can ... to its children, etc.")

- ensuring that a group is linked to the parent goal (page 90, "[1303] The Goal State Level ... the goal setting activities"; page 90, "[1305] A Goal Assignment can ... to its children, etc.")

- ensuring that the entity is subordinate to the group (page 90, "[1305] A Goal Assignment can ... to its children, etc.")

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- storing the new goal in the goal management system, such that the goal management system accumulates a collection of goals and goal relationships for future reference (page 83, “[1214] As indicated above ... a display monitor”)

Regarding claim 29:

Mui et al teaches,

- the entity is an individual (page 93, “[1344] The Performance Feedback Domain ... [1348] can be developmental needs”)
- the group is a team (page 1, “[0004] In order for ... the company’s workforce”; page 25, “[0452] The following concepts ... with generic roles”; page 83, [1233] After disaggregating organizational ... contractors, or individuals”; page 84, [1233 continued], “at other organizations ... is suddenly modified”; page 87, “[1263] As discussed above ... Goals, and Certifications”; page 90, “[1303] The Goal State Level Groups ... goal setting activities”)
- the new goal is a team-related goal (page 6, “[0209] Team managers 621 work with ...for meeting their goals”)

Regarding claim 30:

Mui et al teaches,

- the entity and the group are teams (page 1, “[0004] In order for ... the company’s workforce”; page 25, “[0452] The following concepts ... with generic roles”; page 83, [1233] After disaggregating organizational ... contractors, or individuals”; page 84, [1233 continued], “at other organizations ... is suddenly modified”; page 87, “[1263] As

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discussed above ... Goals, and Certifications"; page 90, "[1303] The Goal State Level Groups ... goal setting activities")

- the new goal is a team goal (page 6, "[0209] Team managers 621 work with ... for meeting their goals")

Regarding claim 31:

Mui et al teaches,

- receiving user input relating to creation of the new goal (Figs. 7, 18, 24-25; page 91, "[1331] The Performance Application ... accomplish the goal")

- recognizing an organizational role for an entity (page 25, "[0452] The following concepts ... with generic roles"; page 83, [1233] After disaggregating organizational ... contractors, or individuals")

- customizing content of a user interface, based on the organizational role of the entity, such that the user interface with the customized content provides goal creation guidance according to the organizational role (page 95, "[1409] Referring to FIG. 27 ... current job roles")

Regarding claim 32:

Mui et al teaches,

- customizing content of a user interface comprises providing specialized instructions and sample content for characteristics of the new goal (page 8, "[0231] The persistence framework ... changed and recompiled"; page 19, "[0353] In the alternative ... have different requirements"; page 24, "[0424] In EJB Specification v1.1 ... and its methods")

Regarding claim 33:

Mui et al teaches,

- retrieving a specialized template, based on a department for the entity (page 72, “[1016] Match templates specify ... an RDF query”; page 83, “[1232] Referring to FIG. 18 ... achieve these goals”; page 87, “[1263] As discussed above ... Goals, and Certifications”; page 87, “[1264] A Required Competency ... of Manager Role”)
- providing specialized instructions and sample content for characteristics of the new goal, based on the specialized template (page 19, “[0353] In the alternative ... have different requirements”)

Regarding claim 34:

Mui et al teaches,

- providing specialized instructions and sample content for characteristics of the new goal comprises providing customized content for a goal-objective characteristic, a goal-measure characteristic, and a goal-activity characteristic for the new goal (page 8, “[0231] The persistence framework ... changed and recompiled”; page 19, “[0353] In the alternative ... have different requirements”; page 24, “[0424] In EJB Specification v1.1 ... and its methods”; page 91, “[1310] The Performance Application ... [1316] Display the category levels in a drop list ... [1323] Get all the Competencies ... to the metric”)

Regarding claim 35:

Mui et al teaches,

- ensuring that the new goal is a child goal of a parent goal (page 76, “[1104] Document Type Definition ... automatically navigated past”; page 89, “[1284] Every goal must ...

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attainable and realistic"; page 89, "[1285] Users of the ... a particular Goal"; page 90,

"[1305] A Goal Assignment can ... to its children, etc.")

- ensuring that a group is linked to the parent group (page 90, "[1303] The Goal State Level ... the goal setting activities"; page 90, "[1305] A Goal Assignment can ... to its children, etc.")

- ensuring that the entity is subordinate to the group (page 90, "[1305] A Goal Assignment can ... to its children, etc.")

Regarding claim 37:

Mui et al teaches,

- identifying one or more candidate parent goals that are linked to the group (page 91, "[1330] Referring to FIG. 24 ... to the Goal")

- prompting an individual to select a goal among the one or more candidate parent goals to be the parent goal to the new goal (Fig. 24, item 2430)

Regarding claim 38:

Mui et al teaches,

- processing resources that (page 7, "[0220] An embodiment of ... more fully below"; page 17, "[0317] Upon receiving a ... argument for the"; page 18, [0317 continued], "save(SabaTransaction tr ... the in-memory representation"; page 37, "[0628] The control file ... process the document"):

- receive user input relating to creation of the new goal (Figs. 7, 18, 24-25; page 91, "[1331] The Performance Application ... accomplish the goal")

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- ensure that the new goal is a child goal of a parent goal (page 76, “[1104] Document Type Definition ... automatically navigated past”; page 89, “[1284] Every goal must ... attainable and realistic”; page 89, “[1285] Users of the ... a particular Goal”; page 90, “[1305] A Goal Assignment can ... to its children, etc.”)
- ensure that the parent goal linked to a team that includes the individual (page 76, “[1104] Document Type Definition ... automatically navigated past”; page 83, “[1233] After disaggregating organizational ... contractors, or individuals”; page 84, [1233 continued] “at other organizations ... is suddenly modified”; page 89, “[1284] Every goal must ... attainable and realistic”)
- cause the new goal to be stored, such that the system facilitates goal alignment (page 1, “[0006] While technology and ... and goal achievement”; page 83, “[1214] As indicated above ... a display monitor”)

Regarding claim 40:

Mui et al teaches,

- computer program instructions that generate an electronically displayable user interface which guides an individual creating a new goal (Figs. 1-5, 8A; page 7, “[0220] An embodiment of ... more fully below”; page 16, “[0288] The basic mechanism ... of possible values”; page 17, “[0317] Upon receiving a ... argument for the”; page 18, [0317 continued], “save(SabaTransaction tr ... the in-memory representation”; page 37, “[0628] The control file ... process the document”), the user interface comprising:
 - specialized instructions and sample content for characteristics of the new goal, wherein the specialized instructions and sample content provide goal creation guidance

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according to a role of the individual within an organization, such that the specialized instructions and sample content facilitate contextual alignment between the new goal and the role of the individual (page 1, “[0006] While technology and ... and goal achievement”; page 8, “[0231] The persistence framework ... changed and recompiled”; page 19, “[0353] In the alternative ... have different requirements”; page 24, “[0424] In EJB Specification v1.1 ... and its methods”; page 83, “[1214] As indicated above ... a display monitor”; page 87, “[1263] As discussed above ... Goals, and Certifications”; page 87, “[1264] A Required Competency ... of Manager Role”)

Regarding claim 41:

Mui et al teaches,

- the specialized instructions and sample content are based on a department and a job title for the individual (page 87, “[1263] As discussed above ... Goals, and Certifications”; page 87, “[1264] A Required Competency ... of Manager Role”)

Regarding claim 42:

Mui et al teaches,

- the specialized instructions and sample content comprise customized content for a goal-objective characteristic, a goal-measure characteristic, and a goal-activity characteristic for the new goal (page 19, “[0353] In the alternative ... have different requirements”; page 91, “[1310] The Performance Application ... [1316] Display the category levels in a drop list ... [1323] Get all the Competencies ... to the metric”)

Claim Rejections - 35 USC § 103

Applicant's arguments have been fully considered, but are not persuasive. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the Office presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the Office to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Mui et al* in view of *Sitka* USPN 6,330,572 "Hierarchical data storage management" (Filed July 15, 1999).

Regarding claim 13:

Mui et al teaches,

- authenticating an individual, based on a user identifier (Fig. 9, item 920; page 22, "[0396] As discussed earlier ... must have an associated java.security.Identity object")

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- retrieving an organizational profile for the individual, based on the user identifier, wherein the organizational profile includes a department for the individual in an organization and a job title the individual the organization (page 54, “[0853] The Authenticator service ... any purpose desired”; page 83, “[1232] Referring to FIG. 18 ... achieve these goals”; page 87, “[1263] As discussed above ... Goals, and Certifications”; page 87, “[1264] A Required Competency ... of Manager Role”)
- receiving a request from the individual to begin creating a new goal (page 91, “[1310] The Performance Application ... Define Goals screen”)
- identifying a team to be associated with the new goal (Fig. 24, items 2430, 2440)
- prompting the individual to select between creating the new goal from scratch and copying the new goal from an existing goal (Fig. 24, items 2430)
- in response to the individual selecting to copy the new goal from an existing goal, presenting a search interface that includes default values for search parameters, wherein the default values are based on the department, the job title, and a manager for the individual (page 2, “[0037] FIG. 25 illustrates a ... Find People search”; page 8, “[0233] A unique feature ... and numeric values”; page 29, “[0491] The Persistence Layer ... a Security exception”; page 48, “[0755] Section 1 declares all ... computed in line 2”; page 87, “[1263] As discussed above ... Goals, and Certifications”; page 87, “[1264] A Required Competency ... of Manager Role”; page 88, “[1270] Assume a provided ... the Target Proficiencies”; page 89, “[1270 continued] e.g. those associated with ... the Find Person algorithm”; page 91, “[1330] Referring to FIG. 24 ...

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Competencies to the Goal”; page 91, “[1331]) The Performance Application ... accomplish the goal”)

- in response to the individual requesting a goal search from the search interface, returning a list of goals that match the search parameter of the search interface (page 90, “[1291] Goal Category – A Goal Category plays ... affect the phenomenon”; page 90, “[1292] Goal Category Level – A Goal Category Level describes ... as a human appraisal”; page 91, “[1310] The Performance Application ... [1316] Display the category levels in a drop list ... [1323] Get all the Competencies ... to the metric”)

- in response to the individual selecting a goal from the list of goals, copying content from the selected goal into the new goal and providing at least one interface for the individual to modify the content for the new goal (Fig. 24; page 90, “[1291] Goal Category – A Goal Category plays ... affect the phenomenon”; page 90, “[1292] Goal Category Level – A Goal Category Level describes ... as a human appraisal”; page 91, “[1310] The Performance Application ... [1316] Display the category levels in a drop list ... [1323] Get all the Competencies ... to the metric”; page 2, “[0037] FIG. 25 illustrates a ... Find People search”; page 8, “[0233] A unique feature ... and numeric values”; page 29, “[0491] The Persistence Layer ... a Security exception”; page 48, “[0755] Section 1 declares all ... computed in line 2”; page 87, “[1263] As discussed above ... Goals, and Certifications”; page 87, “[1264] A Required Competency ... of Manager Role”; page 88, “[1270] Assume a provided ... the Target Proficiencies”; page 89, “[1270 continued] e.g. those associated with ... the Find Person algorithm”; page 91,

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"[1330] Referring to FIG. 24 ... Competencies to the Goal"; page 91, "[1331]) The Performance Application ... accomplish the goal")

- in response to the individual selecting to create the new goal from scratch, retrieving a specialized template based on the department and the job title for the individual, wherein the specialized template includes specialized instructions and sample content for characteristics of the new goal, wherein the characteristics with specialized instruction and sample content include a goal-objective characteristic, a goal-measure characteristic, and a goal-activity characteristic for the new goal (page 8, "[0231] The persistence framework ... changed and recompiled"; page 19, "[0353] In the alternative ... have different requirements"; page 24, "[0424] In EJB Specification v1.1 ... and its methods"; page 72, "[1016] Match templates specify ... an RDF query"; page 83, "[1232] Referring to FIG. 18 ... achieve these goals"; page 87, "[1263] As discussed above ... Goals, and Certifications"; page 87, "[1264] A Required Competency ... of Manager Role"; page 91, "[1310] The Performance Application ... [1316] Display the category levels in a drop list ... [1323] Get all the Competencies ... to the metric")

- presenting the specialized instructions and sample content to the individual (Figs. 22-25)

However, *Mui et al* doesn't explicitly teach identifying a first team as a default team to be associated with the new goal or receiving input from the individual identifying second team to be associated with the new goal in lieu of the first team while *Sitka* teaches,

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- identifying a first team as a default team to be associated with the new goal (column 11, lines 59-67, "DSM system 10 may ... that session, and Files"; column 12, lines 1-6, "created during that ... User's Default Group")
- receiving input from the individual identifying second team to be associated with the new goal in lieu of the first team (column 12, lines 11-19, "The Active Group ... which he belongs")

Motivation - The portions of the claimed method would have been a highly desirable feature in this art for

- Avoiding excessive access delays (*Sitka*, column 1, lines 34-36, "HSM systems generally ... frequently by users")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Mui et al* as taught by *Sitka* for the purpose of avoiding excessive access delays.

Claims 7 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Mui et al* in view of *Lowry et al* "Organisational characteristics, cultural qualities and excellence in leading Australian-owned information technology firms" (30-31 Oct. 1996).

Regarding claim 7:

Mui et al teaches,

- receiving user input from the individual relating to creation of the new goal in a goal management system (Figs. 7, 18, 24-25; page 91, "[1331] The Performance Application ... accomplish the goal")

- ensuring that the new goal is a child goal of a parent goal in the goal management system (page 76, “[1104] Document Type Definition ... automatically navigated past”; page 89, “[1284] Every goal must ... attainable and realistic”; page 89, “[1285] Users of the ... a particular Goal”; page 90, “[1305] A Goal Assignment can ... to its children, etc.”)
- ensuring that the parent goal is linked to a team that includes the individual (page 76, “[1104] Document Type Definition ... automatically navigated past”; page 83, “[1233] After disaggregating organizational ... contractors, or individuals”; page 84, [1233 continued] “at other organizations ... is suddenly modified”; page 89, “[1284] Every goal must ... attainable and realistic”)
- storing the new goal, such that the goal management system accumulates a collection of goals and goal relationships for future reference (page 83, “[1214] As indicated above ... a display monitor”)
- prompting the individual to specify a team to be linked directly to the new goal (Fig. 23)
- ensuring that the specified team is owned by the individual (Fig. 24, item 2430)
- saving the new goal as a team goal for the specified team (page 83, “[1214] As indicated above ... a display monitor”)
- prompting the individual to select the team to be linked directly to the new goal from an identified team (Fig. 24)

However, *Mui et al* doesn't explicitly teach identifying two or more teams owned by the individual or prompting the individual to select the team to be linked directly to the new goal from the two or more identified teams while *Lowry et al* teaches,

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- identifying two or more teams owned by the individual (page 77, section 3.2.2.6,

"Project Teams (Lowry ... company director in another")

Motivation - The portions of the claimed method would have been a highly desirable feature in this art for

- Identifying a common set of critical success factors, missions and core business activities (*Lowry et al*, page 72, Abstract, "This paper reports ... the ideal manager")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Mui et al* as taught by *Lowry et al* for the purpose of identifying a common set of critical success factors, missions and core business activities.

Regarding claim 21:

Mui et al teaches,

- computer instructions that (page 7, "[0220] An embodiment of ... more fully below"; page 17, "[0317] Upon receiving a ... argument for the"; page 18, [0317 continued], "save(SabaTransaction tr ... the in-memory representation"; page 37, "[0628] The control file ... process the document");

- ensure that the new goal is a child goal of a parent goal (page 76, "[1104] Document Type Definition ... automatically navigated past"; page 89, "[1284] Every goal must ... attainable and realistic"; page 89, "[1285] Users of the ... a particular Goal"; page 90, "[1305] A Goal Assignment can ... to its children, etc.")

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- ensure that the parent goal is linked to a team that includes the individual (page 76, “[1104] Document Type Definition ... automatically navigated past”; page 83, “[1233] After disaggregating organizational ... contractors, or individuals”; page 84, [1233 continued] “at other organizations ... is suddenly modified”; page 89, “[1284] Every goal must ... attainable and realistic”)
- a computer-usable medium encoding the computer instructions (page 17, “[0317] Upon receiving a ... argument for the”; page 18, [0317 continued], “save(SabaTransaction tr ... the in-memory representation”)
- prompt the individual to specify a team to be linked directly to the new goal (Fig. 23)
- ensure that the specified team is owned by the individual (Fig. 24, item 2430)
- save the new goal as a team goal for the specified team (page 83, “[1214] As indicated above ... a display monitor”)
- prompt the individual to select the team to be linked directly to the new goal from an identified team (Fig. 24)

However, *Mui et al* doesn't explicitly teach identify two or more teams owned by the individual or prompt the individual to select the team to be linked directly to the new goal from the two or more identified teams while *Lowry et al* teaches,

- identify two or more teams owned by the individual (page 77, section 3.2.2.6, “Project Teams (Lowry ... company director in another”)

Motivation - The portions of the claimed program product would have been a highly desirable feature in this art for

- Identifying a common set of critical success factors, missions and core business activities (*Lowry et al*, page 72, Abstract, "This paper reports ... the ideal manager")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Mui et al* as taught by *Lowry et al* for the purpose of identifying a common set of critical success factors, missions and core business activities.

Allowable Subject Matter

Claims 2-3, 16-17 and 36 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 39 is allowed. The following is an examiner's statement of reasons for allowance: The reason for allowance of the claims is including multiple teams that include the individual. None of the cited references, and, in particular, *Mui et al* US Patent Application 2003/0229529 "Method for enterprise workforce planning", *Sitka* USPN 6,330,572 "Hierarchical data storage management", *Lowry et al* "Organisational characteristics, cultural qualities and excellence in leading Australian-owned information technology firms" and *Srinivasan* USPN 5,548,506 "Automated, electronic network based, project management server system, for managing multiple work-groups", disclose this limitation upon further consideration. Furthermore, while many of the pieces of the present invention are disclosed in the prior art, no motivation can be found

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for combining the various pieces to make the claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

RESPONSE TO APPLICANTS' AMENDMENT REMARKS

Applicant(s) argue(s) that no new matter has been added in the specification and claims amendments (Amendment REMARKS page 13, paragraph 1). It is also noted that no arguments have been entered for the rejection of claims 13-14.

Specification and Claim Objections

Applicant(s) argue(s) that claims 1, 13, 28 and 31 have been amended as suggested (Amendment REMARKS page 13, paragraph 2). The amendments to claims 1, 13, 28 and 31 and specification page 17, lines 30-31 and page 22, line 4 have been entered, examined and are approved. The objections to the specification and claims in the prior office action are withdrawn.

Claim Rejections - 35 USC § 102

Applicants argue that *Mui et al* US Patent Application 2003/0229529 fails to include claims 1, 15 and 38 teachings that ensure that the new goal is a child goal of a

parent goal and ensure that the parent goal is linked to a team that includes the individual (Amendment REMARKS page 14, paragraph 4; Amendment REMARKS page 14, last paragraph and page 15, first paragraph; Amendment REMARKS page 17, last paragraph and page 18) and claim 28's ensuring that a group is linked to the parent goal and ensuring that the entity is subordinate to the group (Amendment REMARKS page 16, paragraph 2). Applicant's arguments have been fully considered, but are not persuasive. *Mui et al* page 76, paragraph [1104] inherently meets the above claims 1, 15, 28 and 38 limitations: For container objects, any children are acceptable matches, and intervening Container and Description tags are automatically navigated past.

Applicants argue that *Mui et al* fails to teach or suggest at least claim 31's customizing content of a user interface, based on the organizational role of the entity, such that the user interface with the customized content provides goal creation guidance according to the organizational role (Amendment REMARKS page 16, paragraph 4) and claim 40's user interface which guides an individual creating a new goal, the user interface comprising: specialized instructions and sample content for characteristics of the new goal, wherein the specialized instructions and sample content provide goal creation guidance according to a role of the individual within an organization, such that the specialized instructions and sample content facilitate contextual alignment between the new goal and the role of the individual (Amendment REMARKS page 18, paragraph 1). Applicant's arguments have been fully considered, but are not persuasive. *Mui et al* Fig. 24, item 2440 inherently meets the above claims 31 and 40 limitations.

Claim Rejections - 35 USC § 103

Applicants argue that the *Sullivan et al* US Patent Application 2003/0194046 filed 6/7/02 subject matter relied upon in the rejections of claims 2-3, 16-17, 36 and 39 has not been demonstrated to be present in *Sullivan et al*'s parent application number 09/450,002 filed 11/29/99 (Amendment REMARKS page 18, paragraph 4; Amendment REMARKS page 19, paragraph 3). Applicant's arguments have been fully considered and are persuasive in view of *Sullivan et al*'s parent application. The rejections of claims 2-3, 16-17, 36 and 39 are withdrawn. However, claims 2-3, 16-17 and 36 are objected to for being dependent on a rejected base claim.

Conclusion

The following prior art made of record is considered pertinent to applicant's disclosure:

- *Spellman et al*; US Patent Application 2004/0172320; "Method and system for goal management"

Any inquiry concerning this communication or earlier communications from the Office should be directed to Melvin Bell whose telephone number is 571-272-3680. This Examiner can normally be reached on Mon - Fri 7:30 am - 4:00 pm.


If attempts to reach this Examiner by telephone are unsuccessful, his supervisor, Anthony Knight, can be reached on 571-272-3687. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MB /M.v.
May 16, 2005


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